

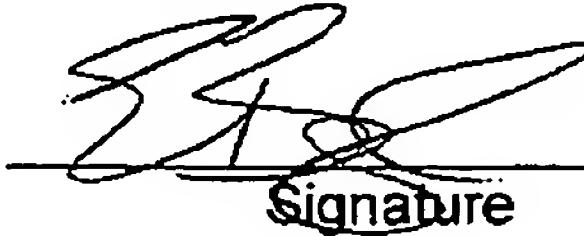
RECEIVED  
CENTRAL FAX CENTER  
MAR 09 2009

0001/0034

Certification under 37 CFR 1.8b

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the U.S. Patent and Trademark Office to Fax No. (571) 273-8300 on March 9, 2009.

Eric D. Babych  
Name

  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: DE KONINCK, Yves, et al. ) Docket: CU-4511

SERIAL NO: 10/556,221 ) Group Art Unit: 1647

FILED: May 14, 2004 ) Examiner: LOCKARD, Jon McClelland

TITLE: CNS CHLORIDE MODULATION AND USES THEREOF

THE COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450  
MAIL STOP AMENDMENT

Sir:

This is in response to the Office Action dated February 10, 2009, having a shortened statutory period for reply set to expire on March 10, 2009.

**REMARKS**

In the Office Action, the Examiner made a restriction requirement, under 35 U.S.C. §121, between 10 groups of claims. Applicant elects the Group V claims, (Claims 44 and 49).

In view of the provisional election of Group V above, Applicant respectfully submits that the election of species as set forth in the Office Action is no longer applicable.

The above-noted elections are with traverse, as follows:

First, it is respectfully submitted that the present application is a national stage application under 35 U.S.C. 371. In this regard, Applicant respectfully refers to 37 CFR 1.499, which reads in part as follows:

*If the examiner finds that a national stage application lacks unity of invention under § 1.475, the examiner may in an Office action require the applicant in the response to that action to elect the invention to which the claims shall be restricted.*